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Charles J. Rupnick

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. : 10/656,039
Inventor(s) : George D. Davis, et al.
Filed : September 04, 2003
25 TC/A.U. : 2855
Examiner : Max H. Noori

Confirmation No.: 8475

Docket No. : H0001757 Div. 3
30 Customer No. : 00128

Commissioner for Patents
PO Box 1450
35 Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

40 In response to the Restriction Requirement mailed on June 18, 2004, the Applicant cannot make an election of claims for prosecution on the merits in the present application.

The Restriction Requirement requires election between Group I: claims 1-29,
Group II: claims 30-36, and Group III: claims 37-44.

The Applicant directs the Examiner's attention to the Preliminary Amendment filed in the present Divisional application on September 4, 2003, copy attached, in which claims 1-23 were CANCELLED and claims 30-44 were CANCELLED. Accordingly, of the claims 1-44 that are subject to restriction and/or election requirement, only claims 24-29 remain in the case.

5 Furthermore, the restriction and/or election requirement fails to address NEW claims 45-56 that were newly presented in the Preliminary Amendment and are now pending in the case.

Therefore, the Applicants respectfully request a Supplemental restriction and/or election requirement be issued, if appropriate, that addresses the claims currently pending in the
10 case, as set forth in the Preliminary Amendment.

No Fee is believed due for this response. If a Fee is due, please contact the undersigned at the telephone number given below.

15 If the Examiner has questions or wish to discuss any aspect of this inquiry, the Examiner is encouraged to contact the undersigned at the telephone number given below.

Respectfully submitted,

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